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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 PETER SPORTELLI,

14 Defendant.

CASE NO. CR04-0407JLR

ORDER DENYING
DEFENDANT'S MOTION TO
VACATE

15 This matter comes before the court upon Defendant Peter Sportelli's motion for an
16 order to vacate the record of his felony conviction. (Mot. (Dkt. # 27).) For the reasons
17 explained below, the Motion is DENIED.

18 In 2005, Mr. Sportelli pled guilty to mail fraud. (*See* Judgment (Dkt. # 16).) Mr.
19 Sportelli now "asks the Court for an order vacating the record of his conviction of a
20 felony offense..." based on RCW 9.94A.640. (*See* Mot. at 1.)

21 RCW 9.94A.640 is a Washington State statute. The statute, by its terms, does not
22 apply to federal convictions. Mr. Sportelli has not cited any authority that would allow

1 the court to vacate his conviction. (*See, e.g.*, Fed. R. Crim. P. 34; Fed. R. Crim. P. 35(a).)

2 Accordingly, the court DENIES the Mr. Sportelli's motion (Dkt. # 27).

3 Dated this 5th day of February, 2020.



JAMES L. ROBART
United States District Judge